

1 Nicholas D. Thompson, Va. #: 92821

2 (*admitted Pro Hac Vice*)

3 THE MOODY LAW FIRM, INC.

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5 Portsmouth, VA 23704

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8 and

9 Joseph A. Grube, WSBA #26476

10 BRENEMAN GRUBE OREHOSKI, PLLC

11 1200 Fifth Avenue, Suite 625

12 Seattle, WA 98101

13 (206) 770-7606

14 joe@bgotrial.com

15 Attorneys for Plaintiff

16 **UNITED STATES DISTRICT COURT**
17 **EASTERN DISTRICT OF WASHINGTON**

18 LAWRENCE DARREN MOLDER,

19 Plaintiff,

20 v.

21 BNSF RAILWAY CO.,

22 Defendant.

23 **NO. 2:18-CV-00257**

24 **Motion to Withdraw Plaintiff's De
Bene Esse Deposition of Dr. Bret
Dirks and Motion to Expedite**

25 **PLEASE TAKE NOTICE** that Plaintiff respectfully withdraws the Motion to take
26 Doctor Bret Dirks' *De Bene Esse* Deposition [ECF. 87] as well as the Plaintiff's Motion to
Expedite [ECF. 88] that were both filed on August 19, 2019. Both parties have met and
conferred and have resolved the issue. Opposing Counsel does not object to this Motion.

27 Plaintiff respectfully request this Court take the hearing in regard to the Motion to
28 Expedite currently set for August 26, 2019, at 10:00 a.m. off its calendar.

Motion to Withdraw Plaintiff's De Bene Esse Deposition of
Dr. Bret Dirks and Motion to Expedite

Page 1 of 2

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2 DATED: August 21, 2019
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THE MOODY LAW FIRM

/s/ Nicholas D. Thompson
Nicholas D. Thompson (admitted pro hac
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10 **Counsel for Plaintiff**
11
12

Certificate of Service

13 The undersigned hereby certifies that he sent a true and correct copy of the above and
14 foregoing document was served via email on August 21, 2019 to the following:
15
16

MICHAEL CHAIT

HALEY VENTOZA

17 /s/ Nicholas D. Thompson
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26

Motion to Withdraw Plaintiff's De Bene Esse Deposition of
Dr. Bret Dirks and Motion to Expedite

Page 1 of 2

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8 **CERTIFICATE OF SERVICE**
9

10 I am over the age of 18 and not a party to this action. I am the paralegal to an attorney
11 with The Moody Law Firm, Inc., whose address is 500 Crawford Street, Suite 200,
12 Portsmouth, VA 23704.

13 I hereby certify that a true and complete copy of PLAINTIFF'S RESPONSE IN
14 OPPOSITION TO DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS
15 PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(C) has been filed with the
16 United State District Court via ECF system, which gives automatic notification to the
17 following interested parties:

18 Michael E. Chait
19 Montgomery Scarp & Chait PLLC
20 1218 3rd Avenue
21 Suite 2500
22 Seattle, WA 98101
23 mike@montgomeryscarp.com

24 *Attorney for Defendant*

25 I declare under penalty under the laws of the United States of America that the
26 foregoing information is true and correct.

27 DATED this 10th day of January, 2019, at Portsmouth, Virginia.

28 _____
29 /s/ Christina Dorazio
30 Christina Dorazio, Paralegal

31
32 Motion to Withdraw Plaintiff's De Bene Esse Deposition of
33 Dr. Bret Dirks and Motion to Expedite

34 Page 1 of 2

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